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Honorable Christopher M. Alston
Chapter 11
Hearing Location: Seattle, Rm. 7206
Hearing Date: Wednesday, June 13, 2018
Hearing Time: 9:30 a.m.
Response Date: June 6, 2018

6 UNITED STATES BANKRUPTCY COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 In re:
10 NORTHWEST TERRITORIAL MINT, LLC,
11 Debtor.

Case No. 16-11767-CMA

**TRUSTEE'S MOTION FOR ORDER
ESTABLISHING DEADLINE REGARDING
DISPOSITION OF ROSS HANSEN'S
PERSONAL PROPERTY**

13 Mark Calvert (the "Trustee"), Chapter 11 Trustee for Northwest Territorial Mint, LLC
14 ("NWTM" or the "Debtor"), files this motion (the "Motion") seeking on order establishing a
15 deadline regarding disposition of Ross Hansen's personal property located in the NWTM facility in
16 Dayton, Nevada.

17 **I. FACTS**

18 On April 1, 2016, the Debtor commenced this case by filing a voluntary petition under
19 chapter 11 of the United States Bankruptcy Code. On April 11, 2016, the Court appointed Mark
20 Calvert as chapter 11 Trustee. *See* Dkt. No. 51.

21 NWTM's primary manufacturing facility is located in Dayton, Nevada. The Trustee is
22 liquidating the remaining assets of the bankruptcy estate and will need to vacate the Dayton premises
23 following the completion of his liquidation efforts. The Trustee presently expects that he will lose
24 access to the Dayton Facility by July 31, 2018.¹

25 ¹ The Court entered an order granting relief from the automatic stay to the landlords for the Dayton
26 facility, the Hoffs, which allows the landlords to commence an unlawful detainer action on July 1,
2018. The Trustee and the Hoffs have negotiated an extension of that deadline to allow Industrial

1 The Trustee has had extensive and ongoing dialogue with Ross Hansen (“Hansen”) regarding
2 property that Hansen has claimed is his personal property. In 2016, the Trustee arranged to have
3 Hansen pick up a substantial amount of personal property including vehicles, tools and records from
4 the estate’s former premises in Auburn, Washington before the Trustee vacated those premises.

5 In late February, 2018, counsel for the Trustee and counsel for Hansen commenced dialogue
6 regarding the identification and pickup of Hansen personal property in the Dayton, Nevada facility.
7 In March, through a series of communications between counsel, the parties identified the personal
8 property that was to be picked up Hansen. On April 4, 2018, the Trustee requested that Hansen pick
9 up his personal property during the week of April 16, while the Trustee had staff available in Dayton
10 that could facilitate the transfer of possession. Hansen did not substantively respond to this request
11 and did not pick up his personal property. On April 13, 2018, the Trustee informed Hansen that if he
12 would confirm that he intended to pick up his personal property by April 16, the property would be
13 made available for pickup during the week ending April 20. Hansen did not substantively respond to
14 this request and did not pick up his personal property. On April 26, 2018, the Trustee informed
15 Hansen that he could pick up his personal property any day before May 31, 2018 so long as he
16 provided the Trustee five business days’ notice. The Trustee further informed Hansen that if he had
17 not made arrangements to pick up his personal property by May 15, 2018 that the Trustee would
18 seek instruction from the Court regarding disposition of the property. Hansen did not substantively
19 respond to this request and did not pick up his personal property.

20 The Trustee has sought for months to have Mr. Hansen pick up his personal property in
21 Dayton. The Trustee seeks to establish a deadline of June 30, 2018 for Mr. Hansen to pick up his
22 personal property or to allow the Trustee to dispose of it.

23 II. EVIDENCE RELIED UPON

24 This Motion relies on the Declaration of Michael J. Gearin.

25 Assets to conduct an auction of equipment in the Dayton premises on June 12, 2018. The Trustee
26 expects to present a stipulation to the court for approval of the extended deadline upon the
conclusion of the documentation of the auction terms with Industrial Assets.

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HANSEN’S PERSONAL PROPERTY - 2

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III. ARGUMENT

The Court should set a deadline of June 30, 2018 by which Ross Hansen must pick up his personal property located in the Dayton facility. If Mr. Hansen fails to claim his personal property by that date, the Court should allow the Trustee to donate such items to charity or otherwise dispose of such personal property as the Trustee may choose.

11 U.S.C. § 554(a) permits the Trustee, after notice and a hearing, to “abandon any property of the estate that is burdensome to the estate or that is of inconsequential value and benefit to the estate.”

Mr. Hansen’s personal property housed in the Debtor’s Dayton facility is not property of the bankruptcy estate and has no value to the estate. Thus, the standard pursuant to section 554 is easily met.

IV. CONCLUSION

For the foregoing reasons, the Trustee respectfully requests that the Court establish a deadline of June 30, 2018 regarding the disposition of Hansen’s personal property.

DATED this 17th day of May, 2018.

K&L GATES LLP

18 By /s/ Michael J. Gearin
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